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Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

In Re Bard IVC Filters Products
Liability Litigation

No. MD-15-02641-PHX-DGC

**VERIFIED NOTICE OF ERRATA AND
PLAINTIFFS' NOTICE OF LODGING
DOCUMENT UNDER SEAL TO PLAINTIFFS'
CONTROVERTING STATEMENT OF FACTS
IN OPPOSITION TO BARD'S MOTION FOR
SUMMARY JUDGMENT REGARDING
PREEMPTION**

Plaintiffs, through Mark S. O'Connor, co-lead counsel for Plaintiffs, hereby notifies the Court and parties that Exhibit 3 to Plaintiffs' Controverting Statement of Facts In Opposition to Bard's Motion for Summary Judgment Regarding Preemption [Doc. 7374] ("CSOF"), David A. Kessler Second Supplemental Report, was inadvertently filed without the full complement of exhibits attached to his underlying report. The revised attached CSOF Exhibit 3 contains the report exhibits, and should be substituted for the previously-lodged CSOF Exhibit 3. Mr. O'Connor declares under penalty of perjury that the additional

documents appended to Dr. Kessler's Second Supplemental Report are true and correct copies of documents produced by Bard in this litigation produced by Bard or other parties in this litigation and are what they purport to be, as further stated in the report of Dr. Kessler.

Exhibits A, B, C, D, G, H, I, J, K and L are attached and filed herewith with this Notice of Errata. Exhibit E and F will be lodged under seal.

Plaintiffs provide notice that, pursuant to LRCiv 5.6(d), they have lodged with the Court under seal Exhibit 3 to Plaintiffs' Controverting Statement of Facts In Opposition to Bard's Motion for Summary Judgment Regarding Preemption [Doc. 7374], David A. Kessler Second Supplemental Report including exhibits as referenced above.

RESPECTFULLY SUBMITTED this 15th day of September, 2017.

GALLAGHER & KENNEDY, P.A.

By: /s/ Mark S. O'Connor

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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of September, 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Gay Mennuti